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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,004	01/28/2004	Yingqing Lawrence Cui	08226/0200356-USO	5027
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DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-6257			EXAMINER POPHAM, JEFFREY D	
			ART UNIT	PAPER NUMBER
			2137	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/767,004

Applicant(s)

CUI ET AL.

Examiner

Jeffrey D. Popham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20070216</u> | 6) <input type="checkbox"/> Other: _____ |

Remarks

Claims 1-45 are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/16/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 9-17, 26-31, and 33-44 rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (U.S. Patent 6,006,266) in view of Laraki (U.S. Patent Application Publication 2003/0233329).

Regarding Claim 1,

Murphy discloses a method of managing a communication with a device over a network, comprising:

Receiving a request from the device, wherein the request includes associated information (Column 9, line 22 to Column 10, line 64);

Automatically determining at least one level of trust based, in part, on the associated information (Column 9, line 22 to Column 10, line 64);
and

Determining at least one device signature for the device based on the at least one level of trust, and independent of user authentication (Column 9, line 22 to Column 10, line 64);

But does not explicitly disclose that the device is a mobile device.

Laraki, however, discloses that the device is a mobile device (Paragraph 33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Regarding Claim 2,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses receiving gateway information, wherein the gateway information is associated with a gateway for the mobile device;

and determining the at least one level of trust based, in part, on the associated information and the gateway information (Column 9, line 22 to Column 10, line 64); and Laraki discloses that the gateway is associated with a carrier gateway for the mobile device (Paragraph 40).

Regarding Claim 3,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that the associated information comprises at least one of a device identifier, user agent information, and an indication that the mobile device is enabled to accept a cookie (Column 9, line 22 to Column 10, line 64).

Regarding Claim 4,

Murphy as modified by Laraki discloses the method of claim 3, in addition, Laraki discloses that the associated information further comprises at least one of a gateway group identifier and a subscription identifier (Paragraph 41).

Regarding Claim 5,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses automatically determining another level of trust based, in part, on the associated information (Column 9, line 22 to Column 10, line 64); and

Determining a second device signature for the mobile device based on the other level of trust, and independent of user authentication (Column 9, line 22 to Column 10, line 64).

Regarding Claim 6,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Laraki discloses that the associated information further comprises a subscription identifier associated with the mobile device that is based on at least one of a MIN, an ESN, and an application serial number (Paragraph 53).

Regarding Claim 7,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that determining the at least one level of trust further comprises, if the associated information comprises a device identifier and trustworthy gateway information, determining a first level of trust (Column 9, line 22 to Column 10, line 64); and Laraki discloses that determining the at least one level of trust further comprises, if the associated information comprises a device identifier and trustworthy gateway information, determining a first level of trust (Paragraphs 46-48).

Regarding Claim 9,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that determining the at least one level of trust further comprises, if the associated information indicates the mobile

device is enabled to use a URL, determining a third level of trust (Column 9, line 22 to Column 10, line 64).

Regarding Claim 10,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that determining at least one device signature further comprises, if a first level of trust is determined, determining a first tier device signature based, in part, on a hash of at least one of a subscription identifier, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 11,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that determining at least one device signature further comprises, if a second level of trust is determined, determining a second tier device signature based, in part, on a hash of at least one of a cookie, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 12,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses that determining at least one device signature further comprises, if a third level of trust is determined, determining a third tier device signature based, in part, on a hash of at least one of a gateway group identifier, a user agent identifier, a server identifier, a process

identifier, a random number, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 13,

Murphy as modified by Laraki discloses the method of claim 12, in addition, Murphy discloses that determining the third tier device signature further comprises including the third tier device signature in a munged URL (Figure 5; and Column 9, line 22 to Column 10, line 64).

Regarding Claim 14,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Laraki discloses that determining the at least one device signature further comprises employing a hash function selected from at least one of a message digest, a SHA, a DES, triple-DES, HAVAL, RIPEMD, and Tiger hash function (Paragraphs 53 and 67).

Regarding Claim 15,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses expiring the at least one device signature based, in part, on a predetermined period of time associated with each of the at least one device signature (Column 8, lines 24-28; and Column 17, lines 15-40); and Laraki discloses expiring the at least one device signature based, in part, on a predetermined period of time associated with each of the at least one device signature (Paragraphs 44-45).

Regarding Claim 16,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Laraki discloses if the at least one device signature has expired, determining if the expired device signature is to be rolled over (Paragraphs 45 and 66); and

If the expired device signature is to be rolled over, extending the validity period associated with the expired device signature (Paragraphs 45 and 66).

Regarding Claim 17,

Murphy as modified by Laraki discloses the method of claim 16, in addition, Laraki discloses that determining if the expired device signature is to be rolled over further comprises evaluating at least one of a condition, event, change in an identifier indicating a grouping of the gateway, and a time (Paragraphs 45 and 66).

Regarding Claim 26,

Murphy discloses a server for managing a communication with a device over a network, comprising:

A transceiver for receiving a request from the device and for sending at least one device signature to the device (Column 9, line 22 to Column 10, line 64); and

A transcoder that is configured to perform actions including:

Receiving the request from the device, wherein the request includes associated information (Column 9, line 22 to Column 10, line 64);

Automatically determining at least one level of trust based, in part, on the associated information (Column 9, line 22 to Column 10, line 64); and

Determining the at least one device signature for the device based on the at least one level of trust, wherein the at least one device signature is independent of user authentication (Column 9, line 22 to Column 10, line 64);

But does not explicitly disclose that the device is a mobile device.

Laraki, however, discloses that the device is a mobile device (Paragraph 33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Regarding Claim 27,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that the transcoder is configured to perform further action comprising: receiving gateway information, wherein the gateway information is associated with a gateway for the mobile device;

and determining the at least one level of trust based, in part, on the associated information and the gateway information (Column 9, line 22 to Column 10, line 64); and Laraki discloses that the gateway is associated with a carrier gateway for the mobile device (Paragraph 40).

Regarding Claim 28,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that determining the at least one device signature further comprises, if a first level of trust is determined, determining a first tier device signature based, in part, on a hash of at least one of a subscription identifier, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 29,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that determining the at least one device signature further comprises, if a second level of trust is determined, determining a second tier device signature based, in part, on a hash of at least one of a cookie, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 30,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that determining the at least one device

signature further comprises, if a third level of trust is determined, determining a third tier device signature based, in part, on a hash of at least one of a gateway group identifier, a user agent identifier, a server identifier, a process identifier, a random number, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 31,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that determining the at least one level of trust further comprises determining a first level of trust based at least one of a gateway group identifier, a subscription identifier, a user agent, and a security level associated with the request from the mobile device (Column 9, line 22 to Column 10, line 64).

Regarding Claim 33,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that determining the at least one level of trust further comprises determining a third level of trust if the mobile device is enabled to interact with a URL (Column 9, line 22 to Column 10, line 64).

Regarding Claim 34,

Murphy as modified by Laraki discloses the server of claim 26, in addition, Murphy discloses that the transcoder is configured to perform further actions comprising determining if at least one device signature has expired (Column 8, lines 24-28; and Column 17, lines 15-40); and Laraki

discloses determining if at least one device signature has expired, and, if the expired device signature is to be rolled over, extending a validity period associated with the expired device signature (Paragraphs 45 and 66).

Regarding Claim 35,

Murphy discloses a system for managing a communication with a device over a network, comprising:

A device configured to provide information associated with the device (Column 9, line 22 to Column 10, line 64); and

A server coupled to a gateway, that is configured to receive the associated information and to perform actions, including:

Automatically determining at least one level of trust based, in part, on the associated information (Column 9, line 22 to Column 10, line 64);
and

Initially determining at least two device signatures for the device based on the at least one level of trust, wherein the two device signatures are each determined independent of user authentication (Column 9, line 22 to Column 10, line 64);

But does not explicitly disclose that the device is a mobile device and the gateway is a carrier gateway.

Laraki, however, discloses that the device is a mobile device and the gateway is a carrier gateway (Paragraphs 33 and 40). It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Regarding Claim 36,

Murphy as modified by Laraki discloses the system of claim 35, in addition, Murphy discloses that determining the at least two device signatures further comprises determining a tier 1 device signature based, in part, on a hash of at least one of a subscription identifier, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 37,

Murphy as modified by Laraki discloses the system of claim 35, in addition, Murphy discloses that determining the at least two device signatures further comprises determining a tier 2 device signature based, in part, on a hash of at least one of a cookie, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 38,

Murphy as modified by Laraki discloses the system of claim 35, in addition, Murphy discloses that determining the at least two device signatures further comprises determining a tier 3 device signature based, in part, on a hash of at least one of a gateway group identifier, a user agent identifier, a server identifier, a process identifier, a random number, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 39,

Murphy as modified by Laraki discloses the system of claim 38, in addition, Murphy discloses that the tier 3 device signature is provided to the mobile device through a munged URL (Column 9, line 22 to Column 10, line 64).

Regarding Claim 40,

Murphy as modified by Laraki discloses the system of claim 35, in addition, Laraki discloses a carrier gateway, coupled to the mobile device, that is configured to receive the associated information, and provide the associated information and gateway information related to the carrier gateway (Paragraphs 33-37 and 46-48).

Regarding Claim 41,

Murphy discloses a computer readable storage medium for communicating with a device, the computer readable storage medium having computer executable instructions stored thereon that when

installed into a computing device enable the computing device to perform actions comprising:

Receiving a request from the device, wherein the request includes associated information (Column 9, line 22 to Column 10, line 64); and

Sending at least one device signature to the device based on at least one level of trust that is determined, in part, using the associated information, and wherein the at least one device signature is independent of user authentication (Column 9, line 22 to Column 10, line 64).

But does not explicitly disclose that the device is a mobile device.

Laraki, however, discloses that the device is a mobile device (Paragraph 33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Regarding Claim 42,

Murphy as modified by Laraki discloses the computer readable storage medium of claim 41, in addition, Murphy discloses that determining the at least one device signature further comprises, if a first

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level of trust is determined, determining a first tier device signature based, in part, on a hash of at least one of a subscription identifier, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 43,

Murphy as modified by Laraki discloses the computer readable storage medium of claim 41, in addition, Murphy discloses that determining the at least one device signature further comprises, if a second level of trust is determined, determining a second tier device signature based, in part, on a hash of at least one of a cookie, a gateway group identifier, a user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 44,

Murphy as modified by Laraki discloses the computer readable storage medium of claim 41, in addition, Murphy discloses that determining the at least one device signature further comprises, if a third level of trust is determined, determining a third tier device signature based, in part, on a hash of at least one of a gateway group identifier, a user agent identifier, a server identifier, a process identifier, a random number, and a time (Column 9, line 22 to Column 10, line 64).

3. Claims 8, 18-25, 32, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Laraki, further in view of Wilf (U.S. Patent 6,496,824).

Regarding Claim 8,

Murphy as modified by Laraki discloses the method of claim 1, in addition, Murphy discloses determining the at least one level of trust further comprises, if the associated information contains a certain piece of information, determining a second level of trust (Column 9, line 22 to Column 10, line 64); but does not disclose that the certain piece of information is that the device is enabled to accept a cookie.

Wilf, however, discloses information that indicates that the device is enabled to accept a cookie (Column 4, lines 5-35). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the session management system of Wilf into the session management system of Murphy in order to provide a stronger signature, based upon more client and/or gateway specific information, thus increasing security of the signature and making it harder to forge.

Regarding Claim 18,

Murphy discloses a client adapted for a device to communicate with a server over a network, the client being configured to perform actions, comprising:

Sending a request to the server for content, wherein the request includes an identifier associated with device (Column 9, line 22 to Column 10, line 64); and

Receiving at least one device signature associated with the device, wherein the at least one device signature is based on at least one level of trust, and is independent of user authentication (Column 9, line 22 to Column 10, line 64);

But does not explicitly disclose that the device is a mobile device and that the identifier associated with the device comprises an identifier associated with a user agent.

Laraki, however, discloses that the device is a mobile device (Paragraph 33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Wilf, however, discloses that the identifier associated with the device comprises an identifier associated with a user agent (Column 4, lines 5-35). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to incorporate the session management system of Wilf into the session management system of Murphy in order to provide a stronger signature, based upon more client and/or gateway specific information, thus increasing security of the signature and making it harder to forge.

Regarding Claim 19,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Laraki discloses that the client is configured to perform actions further comprising providing a device identifier based on at least one of a MIN, an ESN, and an application serial number (Paragraph 53).

Regarding Claim 20,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Murphy discloses that receiving the at least one device signature further comprises, if the at least one device signature is based on a first level of trust, receiving a first tier device signature based, in part, on a hash of at least one of a subscription identifier, a gateway group identifier, the user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 21,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Murphy discloses that receiving the at least one device signature further comprises, if the at least one device signature is based

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on a second level of trust, receiving a second tier device signature based, in part, on a hash of at least one of a cookie, a gateway group identifier, the user agent identifier, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 22,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Murphy discloses that receiving the at least one device signature further comprises, if the at least one device signature is based on a third level of trust, receiving a third tier device signature based, in part, on a hash of at least one of a gateway group identifier, a user agent identifier, a server identifier, a process identifier, a random number, and a time stamp (Column 9, line 22 to Column 10, line 64).

Regarding Claim 23,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Laraki discloses that sending the request further comprises sending the request to a carrier gateway, wherein the carrier gateway is configured to perform actions comprising modifying the request to include at least one of a subscription identifier associated with the mobile device, and a gateway identifier; forwarding the modified request to the server; receiving data from the server; and forwarding the data to the mobile device (Paragraphs 33-37 and 46-48); and Murphy discloses that the data

comprises the at least one device signature (Column 9, line 22 to Column 10, line 64).

Regarding Claim 24,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Wilf discloses that receiving the at least one device signature further comprises, if the request indicates the mobile device is enabled to accept a cookie, associating the cookie with the at least one device signature (Column 4, lines 5-35).

Regarding Claim 25,

Murphy as modified by Laraki and Wilf discloses the client of claim 18, in addition, Murphy discloses that receiving the at least one device signature further comprises, associating a munged URL with the at least one device signature (Column 9, line 22 to Column 10, line 64).

Regarding Claim 32,

Murphy discloses that determining the at least one level of trust further comprises determining a second level of trust based at least one of a gateway identifier, a user agent, (Column 9, line 22 to Column 10, line 64); but not whether the mobile device is enabled to accept a cookie.

Wilf, however, discloses determining whether the mobile device is enabled to accept a cookie (Column 4, lines 5-35). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the session management system of Wilf into the session

management system of Murphy in order to provide a stronger signature, based upon more client and/or gateway specific information, thus increasing security of the signature and making it harder to forge.

Regarding Claim 45,

Murphy discloses an apparatus for communicating with a device, comprising:

A means for receiving a request from a device, wherein the request includes associated information (Column 9, line 22 to Column 10, line 64);

A means for automatically determining at least one level of trust based, in part, on the associated information (Column 9, line 22 to Column 10, line 64); and

A means for determining at least one device signature for the devices based, in part, on the at least one level of trust, and independent of user authentication (Column 9, line 22 to Column 10, line 64);

But does not disclose that the device is a mobile device or that the associated information indicates a capability of the mobile device.

Laraki, however, discloses that the device is a mobile device (Paragraph 33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the mobile subscription services system of Laraki into the session management system of Murphy in order to efficiently provide mobile users with access to content based upon subscriptions and affiliations in which a user will not

be charged twice for content that was previously paid for, but could not be downloaded prior to expiration of the subscription, and is downloaded after expiration, thus improving reliability of the system (Paragraph 49).

Wilf, however, discloses that the associated information indicates a capability of the mobile device (Column 4, lines 5-35). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the session management system of Wilf into the session management system of Murphy in order to provide a stronger signature, based upon more client and/or gateway specific information, thus increasing security of the signature and making it harder to forge.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wills (U.S. Patent Application Publication 2002/0191795).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham
Examiner
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